

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Deaires Foster

Case: 2:23-mj-30326

Case No. Assigned To : Unassigned

Assign. Date : 8/9/2023

CMP USA V FOSTER (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 29, 2023, in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Felon in Possession of a Firearm.

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: August 9, 2023City and state: Detroit, MI*Complainant's signature*Jaclyn Kocis-Maniaci, Task Force Officer, ATF*Printed name and title**Judge's signature*Anthony P. Patti, U.S. Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT**

I, Task Force Officer Jaclyn Kocis-Maniaci, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I am a police officer with the City of Detroit. I have been with the Detroit Police Department since 2003. I became a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in January of 2017. During my career, I have been involved in numerous investigations involving firearms and narcotics cases resulting in successful federal and state prosecutions.

2. I make this affidavit from personal knowledge based on my participation in this investigation. The information comes from witnesses interviewed by law enforcement, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. This affidavit is for the limited purpose of establishing probable cause that Deaires FOSTER (DOB xx/xx/1993) has violated 18 U.S.C. § 922(g)(1), felon in possession of a firearm, and does not contain all details or facts known to law enforcement related to this investigation.

II. PROBABLE CAUSE

4. On July 29, 2023, Detroit Police Officers (DPD) were on routine patrol in the area of Schaefer and Capitol, in the city of Detroit. DPD officers pulled into Capital Food Market, 12220 Schaefer, Detroit, Michigan, and observed Deaires FOSTER exit the store. When FOSTER exited the store, he looked at the DPD scout car and quickly walked back into the store as if he was attempting to hide contraband or conceal a weapon.

5. DPD officers exited their scout car, entered the market, and came into contact with FOSTER near the door entrance. As the DPD officer walked past FOSTER, he observed the pistol grip of a handgun in FOSTER's front right pocket. DPD officers asked FOSTER if he had a valid concealed pistol license. In response, FOSTER informed the officers that he did not have his wallet with him. A handgun was recovered from FOSTER's right front pocket, and FOSTER was arrested.

6. The handgun officers recovered was a Sarsilmaz, model SAR9, 9mm handgun, serial number T1102-21BV83487.

7. On July 31, 2023, a computerized criminal history check showed that Deaires FOSTER has the following felony convictions:

- a. 2018-RICO conspiracy-racketeering, United States District Court-Eastern District of Michigan, Detroit, Michigan.

8. On August 2, 2023, ATF Special Agent Kara Klupacs advised, based upon the verbal descriptions provided, without physically examining the firearm, that the referenced firearm is a firearm as defined under 18 U.S.C. § 921, and was manufactured outside of the State of Michigan after 1989, and therefore had traveled in and affected interstate commerce.

III. CONCLUSION

9. Probable cause exists that Dearies FOSTER, a convicted felon, did knowingly possess a firearm and ammunition that had previously traveled in interstate and/or foreign commerce, in violation of 18 U.S.C. § 922(g)(1).



Jaclyn Kocis-Maniaci, Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.



HONORABLE ANTHONY P. PATTI
UNITED STATES MAGISTRATE JUDGE

Date: August 9, 2023